

AMENDMENTS TO THE DRAWINGS

1 replacement sheet of drawings consisting of Figures 1 and 2 are submitted herewith.
This replacement sheet replaces the original sheet with original Figures 1 and 2.

REMARKS

The Office Action dated June 14, 2005 has been received and its contents carefully noted. By the above actions, claims 1-18 are pending in the application. Claims 1 and 10 have been amended in order to better define that which Applicants regard as the invention. Claim 12 has been amended to correct a typographical error. Also, one replacement sheet of drawings consisting of Figures 1 and 2 are submitted herewith. In addition, the specification has been amended to accommodate the changes to the drawings. No new matter has been added. Support for the amendments are provided in the original claims, Figures 1-6, and related text of the specification.

In view of these actions and the following remarks, reconsideration of this application is now requested.

Drawings

The drawings are objected to under 37 CFR 1.83(a) for failing to show every feature of the invention specified in the claims. Specifically, "a powder source" recited in claim 1 was not shown in the original figures. In full response to the Office Action, a corrected drawing for Figure 2 showing a powder source has been provided in compliance with 37 C.F.R. 1.121(d). Therefore, withdrawal of the objection to the drawings is in order and is respectfully requested.

Rejection under 35 U.S.C. § 102

Claims 1-3 and 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,098,619 to Britto et al. In order to overcome the rejection, independent claim 1 has been amended to recite more clearly that the inlet interconnects the chamber and a powder source, as illustrated in Figures 2-4 and disclosed, for example, in paragraphs [0028] at page 5, line 22 and [0032] at page 7, line 1 of the present application. Claim 1 now also recites an outlet having a longitudinal axis which is described as "longitudinal axis X" in paragraph [0028] and illustrated in Figures 1, 3, and 4. Furthermore, claim 1 now recites that the swirling fluid flow in the chamber can swirl about the longitudinal axis of the outlet, as described in paragraph [0032] and shown in Figures 3 and 4.

In light of the Examiner's comments, Applicants further amend Figure 2 by including

the longitudinal axis X, an interconnecting means 40a connecting the powder source to the chamber 40, a swirling flow 40b, longitudinal flow 40c, and secondary flow 40d, as supported by paragraphs [0028] and [0032] as well as Figures 1-4. These amendments to Figure 2 serve to illustrate distinguishing features of the present invention and find support in the original disclosure as noted above.

The Applicant submits that the subject matter of claim 1 is patentably distinct from the teachings of Britto et al. As discussed above, amended claim 1 specifies that the device has an inlet interconnecting the chamber and a powder source. However, as Figures 7 and 8 of Britto et al. shows, the inlet 18 of Britto et al. does not interconnect the chamber 68 and a powder source. Moreover, as Figure 5 and column 7, line 62 to column 8, line 1 in Britto et al. indicate, the powder is disposed in the chamber 58 and does not enter the chamber through the inlet 18.

Furthermore, amended claim 1 specifies that the swirling fluid flow in the chamber can swirl about the longitudinal axis of the outlet. However, as illustrated in Figures 7 and 8 of Britto et al., the powder does not swirl about the longitudinal axis of the outlet 20 but about an axis that is perpendicular to the longitudinal axis of the outlet 20. (Viewing Figures 7 and 8 of Britto et al., if the longitudinal axis of the outlet 20 is on the plane of the sheet of paper, the perpendicular axis extends outwardly from the plane of the sheet of paper.) Thus, Britto et al. essentially teaches away from swirling fluid flow in the chamber that swirls about the longitudinal axis of the outlet.

Accordingly, Britto et al. fails to disclose each and every element recited in claim 1. Therefore, in consideration of the foregoing remarks, withdrawal of the rejection of independent claim 1 is in order and is respectfully requested.

Rejection under 35 U.S.C. § 103

Claims 4-5 and 9-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,098,619 to Britto et al. To overcome this rejection, independent claim 10 has been amended to mirror the changes to independent claim 1 above. Claim 10 now recites an inlet interconnecting the chamber and a powder source, as illustrated in Figures 2-4 and disclosed in paragraphs [0028] at page 5, line 22 and [0032] at page 7, line 1 of the present application. Claim 10 now also recites an outlet having a longitudinal axis which is described as "longitudinal axis X" in paragraph [0028] and illustrated in Figures 1, 3, and 4.


Furthermore, claim 10 now recites that the swirling fluid flow in the chamber can swirl about the longitudinal axis of the outlet, as described in paragraph [0032] and shown in Figures 3 and 4.

As discussed above, Britto et al. fails to disclose or suggest an inlet interconnecting the chamber and a powder source as recited in claim 10. It also fails to disclose or suggest swirling fluid flow in the chamber that swirls about the longitudinal axis of the outlet as also recited in claim 10. Therefore, in consideration of the foregoing remarks, withdrawal of the rejection of independent claim 10 is in order and is respectfully requested.

Furthermore, Applicants respectfully submit that remaining dependent claims 2-9 and 11-18 are likewise allowable since they depend on what is now believed to be allowable base claims 1 and 10.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise, which could be eliminated through discussions with Applicants' representative, then the Examiner is invited to contact the undersigned by telephone in order that further prosecution of this application can thereby be expedited.

Respectfully submitted,



Marc S. Kaufman
Reg. No. 35,212

Nixon Peabody LLP
401 9th Street, N.W. Suite 900
Washington, D.C. 20004-2128
(202) 585-8000

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